

(A)

UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF ILLINOIS, EASTERN DIVISION

CENTRAL STATES, SOUTHEAST AND
SOUTHWEST AREAS PENSION FUND,
AND HOWARD McDOUGALL, TRUSTEE,

Plaintiffs,

Case No. 07-C-6160

v.

LINCK AGGREGATES, INC.,
a Wisconsin corporation,

Defendant.

DEC 27 2007
FILED

DEC 27 2007

ANSWER

MICHAEL W. DOBBINS
CLERK, U.S. DISTRICT COURT

NOW COMES Defendant Linck Aggregates, Inc., by its attorneys, Melli, Walker,
Pease & Ruhly, S.C., by Douglas E. Witte, and for its answer to the Complaint hereby admits,
denies, and alleges as follows:

1. In response to paragraph 1 of the Complaint, Defendant admits that is the stated purpose of the action. Denies any remaining allegations in paragraph 1 of the Complaint.
2. Defendant admits the allegations of paragraph 2 of the Complaint.
3. Defendant admits the allegations of paragraph 3 of the Complaint.
4. Defendant admits the allegations of paragraph 4 of the Complaint.
5. Defendant lacks information sufficient to form a belief regarding the allegations of paragraph 5 of the Complaint, and therefore denies the allegations of paragraph 5 of the Complaint.

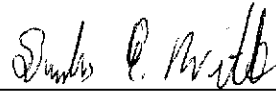
6. Defendant admits the allegations of paragraph 6 of the Complaint.
7. Defendant admits the allegations of paragraph 7 of the Complaint.
8. Defendant admits the allegations of paragraph 8 of the Complaint.
9. Defendant admits the allegations of paragraph 9 of the Complaint.
10. Defendant admits the allegations of paragraph 10 of the Complaint.
11. Defendant admits the allegations of paragraph 11 of the Complaint.
12. Defendant admits the allegations of paragraph 12 of the Complaint.
13. Defendant denies the allegations of paragraph 13 of the Complaint.
14. Defendant admits the allegations of paragraph 14 of the Complaint.

AFFIRMATIVE DEFENSES

1. The Complaint fails to state a claim upon which relief can be granted.
2. Plaintiffs have failed to exhaust their administrative remedies.
3. Any claim for damages relating to incidents which occurred more than six years before Plaintiff filed a claim are barred by the statute of limitations.

WHEREFORE, Defendant requests that the Complaint herein be dismissed with prejudice and that it be awarded its reasonable attorneys' fees and such other further relief as the Court may order.

Dated this 26th day of December, 2007.



Douglas E. Witte
Wisconsin State Bar No. 1016427
MELLI, WALKER, PEASE & RUHLY, S.C.
Ten East Doty, Suite 900
P. O. Box 1664
Madison, WI 53701-1664
Telephone: (608) 257-4812
Facsimile: (608) 258-7470
dougwitte@melliwalker.com

Attorneys for Defendant Linck Aggregates, Inc.